REMARKS

This Response is in response to the Final Action mailed on April 15, 2003. Reconsideration of this application is respectfully requested.

Allowable Subject Matter

Applicants acknowledge, with appreciation, the allowance of Claims 17-25, 27-33, 49-55, 59, 60, 62-70, 72-84, 86-99, 101-107, 109-137, 139, 140, 142 and 143, and the indicated allowability of Claims 11, 12, 16, 43, 44 and 48, if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Summary of Claim Amendments

Claims 1 and 34 have been amended to include the allowable subject matter of Claims 11 and 44, respectively.

Further, as suggested in the Final Action, Applicants have amended Claims 1 and 34 to remove reference to the "control device" and the "movement mechanism" of the "injector system," especially since the Examiner does not believe these terms are positive limitations of the claims.

Prior Art Rejection

The Office Action rejected claims 1, 4-9, 13-15, 34-41, 45-47, 138 and 141 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,789,670 to Rosenwald. To further the prosecution of this application, Applicants have amended Claims 1 and 34 to

include the noted allowable subject matter of Claims 11 and 44, respectively. Applicants submit that the rejection is now moot.

Further, Applicants do not acquiesce to the stated rejection of Claims 1 and 34 over the '670 patent to Rosenwald, and intend and reserve the right to prosecute those claims in one or more continuing applications.

In addition, Applicants submit, contrary to the Final Action, that the terms "control system," "movement mechanism" and "injector system" do carry patentable weight because, for example, they are present in both the preamble and body portions of the respective claims.

In view of the foregoing amendments and remarks, Applicants submit that the application is now in condition for allowance. Reconsideration of this application is respectfully requested.

Respectfully submitted,

Date: July 7, 2003

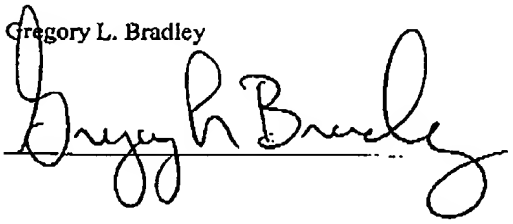
Gregory L. Bradley
Reg. No. 34,299

Medrad, Inc.
One Medrad Drive
Indianola, PA 15051
(412) 767-2400 x3021

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. 703-872-9303) on July 7, 2003.

Gregory L. Bradley



VERSIONS WITH MARKINGS TO SHOW CHANGES MADE

Please amend Claims 1 and 34 as follows:

1. (Twice Amended) A syringe [for use with an injector system comprising a movement mechanism and a control device operably associated with the movement mechanism, the syringe] comprising:

a body comprising a distal discharge end;

a plunger movably disposed within the body; and

at least one agitation element comprising a casing and disposed within the body between the plunger and the distal discharge end, the at least one agitation element operable to agitate an ultrasound contrast fluid in the syringe when the syringe is moved [by means of the movement mechanism operably associated with the injector system,

the control device operable to control the movement of the syringe induced by the movement mechanism] to substantially maintain the homogeneity and integrity of the ultrasound contrast fluid without substantially impairing the diagnostic properties thereof.

34. (Twice Amended) A syringe [for use with an injector system comprising a movement mechanism and a control device operably associated with the movement mechanism, the syringe] comprising:

a body comprising a distal discharge end;

a plunger movably disposed within the body; and

at least one agitation element comprising a gas surrounded by a cover and disposed within the body between the plunger and the distal discharge end, the at least one agitation element operable to agitate an ultrasound contrast fluid in the syringe when the syringe is moved [rotated by means of the movement mechanism,

the control device operable to control the rotation of the syringe induced by the movement mechanism] to substantially maintain the homogeneity and integrity of the ultrasound contrast fluid without substantially impairing the diagnostic properties thereof.